

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ZUFFA, LLC, a Nevada Limited Liability Company,

CASE NO: 2:10-cv-01756-KJD-LRL

Plaintiff,

PRELIMINARY INJUNCTION

V.

DANIEL WALLACE, an individual

Defendant.

UPON CONSIDERATION of the motion filed by Plaintiff Zuffa, LLC for a preliminary injunction, the supporting memorandum of points and authorities, the supporting declaration and evidence, the record in this case, and for other good cause shown;

THE COURT HEREBY FINDS THAT:

1. Plaintiff is likely to succeed on the merits of its claims for copyright infringement, contributory copyright infringement and vicarious copyright infringement given that Plaintiff owns the copyrighted works defined in Plaintiff's Complaint as Plaintiff's "Copyrighted Broadcasts," and that Defendant's website streams Plaintiff's Copyrighted Broadcasts without license, consent or authority from Plaintiff;

2. Plaintiff is also likely to succeed on the merits of its state law claim for intentional interference with prospective economic advantage;

3. Plaintiff will suffer irreparable injury if the Court does not order Defendant to cease any further infringing activity involving the Copyrighted Broadcasts, including UFC 120, which the Court may also presume exists given that Plaintiff is likely to succeed on the merits of its copyright infringement claims;

4. The balance of hardships tips in favor of Plaintiff because issuance of the preliminary injunction order would merely prohibit Defendant from posting content at the website

associated with the <rage-streams.net> domain name, and failure to issue the restraining order would cause Plaintiff to suffer and incur additional expenses and loss of goodwill; and

5. Issuance of the preliminary injunction would be in the public interest because it would protect consumers against deception and confusion arising from the use of Plaintiff's Copyrighted Broadcasts by an entity other than Plaintiff;

THEREFORE, IT IS HEREBY ORDERED THAT, pending a full trial on the merits:

A. Defendant, defendant's agents, servants, employees and/or all persons acting in concert or participation with defendant are prohibited from copying, manipulating, adapting, reproducing, uploading, distributing, sharing, selling or displaying any of Plaintiff's Copyrighted Broadcasts and are prohibited from copying, manipulating, adapting, reproducing, uploading, distributing, sharing, selling or displaying UFC 120 in any manner;

B. The domain name registrar, eNom, Inc., shall immediately transfer the <livevss.tv> and <livevss.net> domain name registrations to Plaintiff for the pendency of this action;

C. Plaintiff shall not be required to post an additional bond because the evidence indicates Defendant will only suffer, if at all, minimal damage by the issuance of this preliminary injunction, hence the present bond of \$100.00 will remain in effect.

ENTERED this 3 day of November, 2010.

The Honorable Kent J. Dawson
UNITED STATES DISTRICT JUDGE